

## **REMARKS**

**[0002]** Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1-18, 22, 25-38 and 40-55 are currently pending
- Claims 20, 21, 23 and 24 are canceled herein
- Claims 1, 22, 26, 33-36, 37, and 45 are amended herein

**[0003]** Claim 1 is amended to include subject matter from dependent claims 20, 21, 23 and 24. Claim 1 is further amended to clarify that the input area comprises, "a plurality of selectable options, wherein each selectable option is associated with a particular action" and "a text edit box, wherein a user indicates selection of at least one of the plurality of associated actions." Support for these additional clarifying amendments can be found in the specification, at least at page 13, lines 9-14. Additionally, claim 1 is amended herein to clarify that an alert is delivered, "to the viewer when the particular media event is scheduled for broadcast, wherein the alert is delivered to the viewer via an email message sent to an address indicated by the viewer in the text edit box." Support, again, can be found at least at page 13, lines 9-14 of the specification.

**[0004]** Claims 26 and 45 are amended to clarify that the method comprises, in part, "accessing a web page ... through the Internet." Support for these additional clarifying amendments can be found in the specification, at least at page 1, lines 6-12.

**[0005]** Claim 33 is amended to incorporate elements and features of dependent claim 36. Claim 33 is further amended to clarify that, "if a minimum number of programs

are not reached by the new episodes of the particular television program, the system provides a number of additional programs sufficient to reach the minimum number of programs, wherein each program is identified in the personalized version of the television broadcast schedule to denote programs added because of the viewer selection." Support for this additional clarifying amendment to independent claim 33 can be found in the specification, at least at page 7, line 20 through page 8, line 6.

### **Cited Documents**

**[0006]** The following documents have been applied to reject one or more claims of the Application:

- **Schein:** Schein et al., U.S. Patent No. 6,075,575
- **Nsonwu:** Nsonwu, U.S. Patent No. 6,978,43
- **Ellis:** Ellis et al., U.S. Patent Application Publication No. 2009/019485
- **Wang:** Wang et al., U.S. Patent No. 6,675,385
- **Tannenbaum:** Tannenbaum, U.S. Patent Application Publication No. 2006/0218599
- **Jackson:** Jackson, U.S. Patent No. 7,199,842
- **Knudson:** Knudson et al., U.S. Patent Application Publication No. 2005/0204388
- **Salvo:** Salvo et al., U.S. Patent No. 6,341,271
- **Dimitrova:** Dimitrova et al., U.S. Patent Application Publication No. 2002/0144293

**Claims 1-3, 6, 7, 9, 11-18, 20-23, 25-30, 32, 33, 37, 38, 40, 44 and 51-55 are**

**Non-Obvious over Schein in view of Nsonwu**

**[0007]** Claims 1-3, 6, 7, 9, 11-18, 20-23, 25-30, 32, 33, 37, 38, 40, 44 and 51-55 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Schein in view of Nsonwu. Applicant respectfully traverses the rejection.

**Independent Claim 1**

**[0008]** Applicant submits that the cited art is insufficient to make a *prima facie* showing that independent claim 1, as amended, is obvious in view of the combination of Schein and Nsonwu. Applicant submits that the combination of Schein and Nsonwu does not teach or suggest at least the following features of this claim, as amended (with emphasis added):

A method comprising:

receiving data that describes a television broadcast schedule;

rendering web-based content that is related to television entertainment, wherein a TV tag is embedded in the web-based content as the web-based content is created;

rendering, simultaneous with the web-based content, the TV tag, wherein the TV tag comprises:

a selectable hyperlink;

an associated data element identifying a particular media event; and

a plurality of actions;

in response to receiving an indication of a viewer selection of the TV tag, launching a display of an input area, wherein the input area comprises:

a plurality of selectable options, wherein each selectable option is associated with a particular action; and

**a text edit box, wherein a user enters additional text;**  
receiving an indication of the viewer selecting a particular selectable option of the plurality of selectable options;  
performing the particular action associated with the particular selectable option, wherein performing the particular action comprises:  
**providing the data element associated with the TV tag to a TV planner system, wherein the data element provided to the TV planner system updates personalization data associated with the viewer;**  
**scheduling an alert system to generate an alert, wherein the alert system utilizes the personalization data associated with the viewer to monitor a broadcast schedule to ascertain if the particular media event is currently scheduled for broadcast, and if not, continue to monitor until the particular media event is scheduled for broadcast; and**  
**delivering the alert to the viewer when the particular media event is scheduled for broadcast, wherein the alert is delivered to the viewer via an email message sent to an address indicated by the viewer in the text edit box.**

[0009] Claim 1 recites, in part, “wherein the input area comprises: a plurality of selectable options, wherein each selectable option is associated with a particular action; and a text edit box, wherein a user enters additional text.” The Office cites Nsonwu, col. 5, lines 43-58 and FIG. 2 as teaching receiving an indication of a viewer selection of a TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of a least one of the plurality of associated actions. (Office Action, page 4.) Nsonwu, col. 5, lines 43-58 states:

When the user strikes the predetermined key on remote control 36, the pop-up option palette 240 according to the present invention overlays the active window. In the home screen 200, the pop-up option palette of the present invention knows from the system's operational context of the home screen to overlay the screen with a TV options palette 240. The user can quickly implement various functions suited to the context of the home screen 200 by selecting any of the various tabs of the TV options palette. The current page can be printed by selecting print tab 244. The current location can be added to a list of favorites by selecting the add to favorites tab 250. Context sensitive help can be obtained by selecting the help tab 256. The user can navigate to the previous location by selecting the back tab 260. A shortcut to various services can be obtained by selecting the shortcut to services tab 266.

**[0010]** Nsonwu does not teach an input area that comprises both a plurality of selectable options **and** a text edit box. Instead, Nsonwu teaches a pop-up option palette that allows for a user to quickly implement various prearranged functions suitable to the home page. (See Nsonwu, col. 5, lines 43-58). Each of the examples provided by Nsonwu, such as printing, requires the selection of a pre-defined function. *Id.* Nsonwu does not allow for the user to enter information via a text edit box.

**[0011]** As explained in the present application, a text edit box allows, for example, the user to enter an email address to which an alert is to be sent. By including a text edit box, a user can request more information associated with a program, celebrity, team or topic with which the TV tag is associated. (See Application, page 13, lines 1-14). Additionally, the text edit box can allow for a user to find similar programs, celebrities, teams or topics of interest to the user. *Id.* Nsonwu does not teach or suggest a text box that would allow for a user to perform such actions by entering additional text.

**[0012]** Additionally, the cited art fails to teach or suggest that performing the particular action comprises (in part) "scheduling an alert system to generate an alert, wherein the alert system utilizes the personalization data associated with the viewer to monitor a broadcast schedule to ascertain if the particular media event is currently scheduled for broadcast, and if not, continue to monitor until the particular media event is scheduled" as is presently recited by independent claim 1. The Office cites Schein, col. 13, lines 4-21 and FIG. 10A as teaching this element. (Office Action, page 9, in rejecting dependent claim 23 incorporated herein). Schein, col. 13, lines 4-21 states:

FIGS. 10A-10D illustrate a method for utilizing television schedule system to create a program reminder. Similar to the "favorites" method discussed above, an Item's InfoMenu 130 is opened and the viewer scrolls down to item (5) "Reminding when the program airs" and selects this item by clicking cylinder 24. A reminder submenu 160 is then activated to provide the viewer with various items for the times and number of reminders, as shown in 10B. This reminder submenu 160 can vary depending on the program's type or scheduling configuration. After specifying the recording option, a confirmation panel (not shown) will appear, allowing the viewer to o.k. the action. When the viewer has returned to the Item's InfoMenu 130 (see FIG. 10C), a reminder symbol has been added to the title and menu item (5) now gives the option to remove the program's reminder. After the program is scheduled for reminder, it is added to the "Favorites and Reminder" list, as shown in FIG. 10D.

**[0013]** Schein does not teach or suggest that the alert system, "monitor a broadcast schedule to ascertain if the particular media event is currently scheduled for broadcast, and if not, continue monitoring until the particular media event is scheduled," as is

presently claimed. Instead, Schein teaches that a viewer can schedule an alert for a program that **is already scheduled** by opening a scheduled item's InfoMenu 130. (See Schein, col. 13, lines 4-21). The alert system does not monitor the broadcast schedule, but instead only schedules an alert based upon items already scheduled being selected. If the program is not already scheduled and part of the broadcast schedule, then Schein's alert system has no means of generating an alert as the viewer cannot select an item's InfoMenu without the item being scheduled for broadcast.

**[0014]** Consequently, the combination of Schein and Nsonwu does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn.

#### Dependent Claims 2-18, 22 and 25

**[0015]** Claims 2-18, 22 and 25 ultimately depend from independent claim 1. As discussed above, claim 1 is allowable over the cited documents. Therefore, claims 2-18, 22 & 25 are also allowable over the cited documents of record for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites.

#### Independent claim 26

**[0016]** Applicant submits that the cited documents are insufficient to make a *prima facie* showing that independent claim 26, as amended, is obvious in view of the combination of Schein and Nsonwu. Applicant submits that the combination of Schein and Nsonwu does not teach or suggest at least the following features of this claim (with emphasis added):

A method comprising:

**accessing a web page that is related to television entertainment through the Internet;**

rendering the web page that is related to television entertainment, wherein a selectable TV tag is implemented to modify the web page after the creation of the web page;

rendering, along with the web page, the selectable TV tag, wherein the TV tag comprises:

a selectable hyperlink;

a plurality of associated actions; and

an associated data element;

receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions; and

performing the at least one selected associated actions.

**[0017]** Claim 26 recites, in part, “accessing a web page that is related to television entertainment through the Internet.” This is a newly added claim element herein. As such, the Office has not yet had the opportunity to search for these additional clarifying features and elements. Applicant respectfully contends that the cited documents do not teach or suggest such elements and features.

**[0018]** Schein is silent as to “accessing a web page that is related to television entertainment through the Internet.” The only reference to a web site in Schein states that the remote control device incorporates a speech recognition input device and that, “speech recognition software may be accessed and downloaded from, for example, a web site on the internet.” (Schein, col. 3, lines 7-26 and col. 6, lines 12-28). Schein is



silent as to, "accessing a web page that is related to television entertainment through the Internet," as presently claimed by independent claim 1. Nsonwu fails to correct the deficiencies of Schein.

**[0019]** Consequently, the combination of Schein and Nsonwu does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn.

### Dependent Claims 27-32

**[0020]** Claims 27-32 ultimately depend from independent claim 26. As discussed above, claim 26 is allowable over the cited documents. Therefore, claims 27-32 are also allowable over the cited documents of record for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites.

### Independent Claim 33

**[0021]** Applicant submits that the cited art of record is insufficient to make a *prima facie* showing that independent claim 33, as amended, is obvious in view of the combination of Schein and Nsonwu. Applicant submits that the combination of Schein and Nsonwu does not teach or suggest at least the following features of this claim, as amended (with emphasis added):

A method comprising:

rendering a web-based article within a web browser application, the web-based article describing a particular television program, wherein a selectable TV tag is embedded in the web-based article as the web-based article is created;

rendering, along with the article, the selectable TV tag that is associated with the particular television program, wherein the TV tag comprises:

- a selectable hyperlink;
- a plurality of associated actions; and
- an associated data element;

receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions; and

transmitting personalization data based on the selected TV tag to a TV planner system that generates a personalized version of a television broadcast schedule, wherein the personalization data indicates that the personalized version of the television broadcast schedule is to include data that describes new episodes of the particular television program that are scheduled to be broadcast,

**wherein if a minimum number of programs are not reached by the new episodes of the particular television program, the system provides a number of additional programs sufficient to reach the minimum number of programs, wherein each program is identified in the personalized version of the television broadcast schedule to denote programs added because of the viewer selection.**

**[0022]** Claim 33 recites, in part, as amended, "wherein if a minimum number of programs are not reached by the new episodes of the particular television program, the system provides a number of additional programs sufficient to reach the minimum number of programs, wherein each program is identified in the personalized version of the television broadcast schedule to denote programs added because of the viewer selection." The aforementioned elements and features are newly introduced herein.

The Office has not yet had the opportunity to search such elements and features. The aforementioned elements and features are not taught nor are they suggested by the art of record.

Dependent Claims 34-36

**[0023]** Claims 34-36 ultimately depend from independent claim 33. As discussed above, claim 33 is allowable over the cited documents. Therefore, claims 34-36 are also allowable over the cited documents of record for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites.

Independent Claim 37

**[0024]** Applicant submits that the Office has not made a *prima facie* showing that independent claim 37 is obvious in view of the combination of Schein and Nsonwu. Applicant submits that the combination of Schein and Nsonwu does not teach or suggest at least the following features of this claim (with emphasis added):

37. (Previously Presented) A method comprising:  
rendering web-based content that describes a particular movie,  
wherein a selectable TV tag is embedded in the web-based content as the  
web-based content is created;  
rendering, along with the content, selectable TV tag that is  
associated with the particular movie, wherein the TV tag comprises;  
a selectable hyperlink;  
a plurality of associated actions; and  
an associated data element;  
receiving an indication of a viewer selection of the TV tag, wherein  
the selection of the TV tag launches a display of an input area whereby

users can indicate selection of at least one of the plurality of associated actions; and

transmitting personalization data based on the selected TV tag to a TV planner system that generates a personalized version of a television broadcast schedule, wherein the transmitting comprises:

determining whether the particular movie is scheduled for television broadcast; and

**in an event that the particular movie is not scheduled for television broadcast, transmitting personalization data that indicates that the personalized version of the television broadcast schedule is to include data describing scheduled broadcasts of the particular movie at a later date when the movie is scheduled for television broadcast.**

**[0025]** Claim 37 recites in part, **"in an event that the particular movie is not scheduled for television broadcast,** transmitting personalization data that indicates that the personalized version of the television broadcast schedule is to include data describing scheduled broadcasts of the particular movie at a later date when the movie is scheduled for television broadcast." The Office fails to address this specific element, and as such, Applicant has not had an adequate opportunity to address the rejection of independent claim 37.

**[0026]** The cited art, and particularly Schein, does not teach or suggest anything regarding transmitting personalization data that indicates that the personalized version of the television broadcast schedule is to include data describing scheduled broadcasts of the particular movie at a later date when the movie is scheduled for television broadcast **"in an event that the particular movie is not scheduled for television broadcast"**.

[0027] Instead, Schein describes a system in which a viewer can schedule an alert for a program that **is already scheduled** by opening a scheduled item's InfoMenu 130. (See Schein, col. 13, lines 4-21). The alert system does not monitor the broadcast schedule, but instead only schedules an alert based upon items already scheduled. If the program is not already scheduled and part of the broadcast schedule, then Schein's alert system has no means of generating an alert as the viewer cannot select an item's InfoMenu without the item being scheduled for broadcast. Schein does not teach or suggest anything regarding personalizing the broadcast schedule if an event is not already on the broadcast schedule.

[0028] Consequently, the combination of Schein and Nsonwu does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn.

#### Dependent Claims 34-36

[0029] Claims 34-36 ultimately depend from independent claim 33. As discussed above, claim 33 is allowable over the cited documents. Therefore, claims 34-36 are also allowable over the cited documents of record for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites.

#### Independent claim 51

[0030] Applicant submits that the cited documents are insufficient to make a *prima facie* showing that independent claim 51, is obvious in view of the combination of Schein and Nsonwu. Applicant submits that the combination of Schein and Nsonwu

does not teach or suggest at least the following features of this claim (with emphasis added):

A method comprising:

rendering a web-based article within a web browser application,  
wherein the web-based article is associated with a particular sport,  
**wherein a selectable TV tag is embedded in the web-based article as  
the web-based article is created;**

rendering, along with the article, the selectable TV tag that is  
associated with the particular sport, wherein the TV tag comprises;

a selectable hyperlink;

a plurality of associated actions; and

an associated data element;

receiving an indication of a viewer selection of the TV tag, wherein  
the selection of the TV tag launches a display of an input area whereby  
users can indicate selection of at least one of the plurality of associated  
actions; and

transmitting personalization data based on the selected TV tag to a  
TV planner system that generates a personalized version of a television  
broadcast schedule.

**[0031]** Claim 51 recites, in part, “wherein a selectable TV tag is embedded in the web-based article as the web-based article is created.” The Office cites Nsonwu, col. 3, lines 33-67, col. 4, line 44 through col. 5, line 58, col. 6, line 25 through col. 7, line 17 and FIG. 1 as allegedly teaching wherein a TV tag is embedded in the web-based content as the web-based content is created. (See Action, page 20). Applicant respectfully disagrees.

**[0032]** The Office equates the event option palette of Nsonwu with the TV tag of the present application. (See Action, page 20). Without conceding that this assumption is

correct, Applicant would respectfully point that the option palette of Nsonwu is not "embedded in the web-based article as the web-based article is created" as is presently claimed by independent claim 51.

**[0033]** Instead, Nsonwu teaches that the pop-up option pallette is a **program** that **resides in the memory of the set top box**. (See Nsonwu, FIG. 1 and col. 4, lines 63-64). This program is activated upon a user pressing a pop-up option palette activation key on a remote control. (See Nsonwu, col. 4, line 54 through col. 5, line 3). This program is only available on the set top box. Because the pop-up palette only resides on the set top box, it cannot be said to be, "embedded in the web-based article as the web-based article is created," as is presently claimed by independent claim 51. Rather, Nsonwu describes that the media content (i.e., the web-based articles) is created and delivered from a media server separate from the set top box. (See Nsonwu, FIG. 1).

**[0034]** As shown by Nsonwu, the "system 100 includes a media server 12 for providing, on demand, movies and other programming obtained from a media database 14. The media server 12 also provides additional content such as interviews with the actors, games, advertisements, available merchandise, associated Web pages, interactive games and other related content." (Nsonwu, col. 3, lines 44-54). This content is created and then provided to the set top box on demand. Hence, because the media content is created before being presented to the set top box, it is impossible for Nsonwu to teach or suggest that, "a selectable TV tag is embedded in the web-based article as the web-based article is created," as is presently claimed by independent claim 51.

[0035] Consequently, the combination of Schein and Nsonwu does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn.

*Dependent Claims 52-55*

[0036] Claims 52-55 ultimately depend from independent claim 51. As discussed above, claim 51 is allowable over the cited documents. Therefore, claims 52-55 are also allowable over the cited documents of record for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites.

**Claims 45-48 and 50 Are Non-Obvious Over Schein and Nsonwu and Ellis**

[0037] Claims 45-48 and 50 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Schein and Nsonwu and Ellis. Applicant respectfully traverses the rejection.

*Independent claim 45 and dependent claims 46-50*

[0038] Applicant respectfully contends that the arguments set forth above with respect to independent claims 26 and 51, as amended, applies with equal weight here, and the cited art does not teach or suggest all of the claimed elements and features of independent claim 45, which are similar to elements of claim 26. The inclusion of Ellis does not rectify the deficiencies of Schein and Nsonwu with regard to the claimed, "accessing a web page that is related to television entertainment through the Internet," as presently recited in independent claim 45. Nor does it rectify the deficiencies with



regard to, "wherein a selectable **TV tag is embedded** in the web-based biographies and news articles **as the web-based biographies and news articles are created.**"

**[0039]** Accordingly, Applicant respectfully asks the Examiner to withdraw the rejections of claim 45. Further, dependent claims 46-50 are allowable for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites. Applicant respectfully requests that the Examiner withdraw the rejection of dependent claims 46-50.

### **Conclusion**

**[0040]** If any issues remain that would prevent allowance of this application, **Applicant requests that the Examiner contact the undersigned representative before issuing a subsequent Action.**

Respectfully Submitted,

Lee & Hayes, PLLC  
Representative for Applicant

/Jason F. Lindh Reg. No. 59,090/

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Jason F. Lindh  
(jason@leehayes.com; 509-944-4715)  
Registration No. 59090

Kayla D. Brant  
(kayla@leehayes.com; 509-944-4742)  
Registration No. 46,576